

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1083 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 through 17.
- 3 Page 18, delete lines 1 through 25.
- 4 Page 19, line 8, delete "or its designee. So long as there are" and
- 5 insert ".".
- 6 Page 19, delete lines 9 through 19.
- 7 Page 20, line 37, delete "or its designee. So" and insert ".".
- 8 Page 20, delete lines 38 through 42.
- 9 Page 21, delete lines 1 through 5.
- 10 Page 21, line 33, delete "or its designee".
- 11 Page 21, line 34, delete "So long as there are any current or future
- 12 obligations owed".
- 13 Page 21, delete lines 35 through 42.
- 14 Page 22, delete lines 1 through 3.
- 15 Page 23, line 11, delete "or its designee. So" and insert ".".
- 16 Page 23, delete lines 12 through 42.
- 17 Page 24, delete lines 1 through 23.
- 18 Page 24, delete lines 37 through 38.
- 19 Page 24, line 39, delete "4." and insert "**3**".
- 20 Page 24, line 42, delete "5." and insert "**4**".
- 21 Page 25, line 2, delete "8 and 9" and insert "**7 and 8**".
- 22 Page 25, line 9, delete "8 and 9" and insert "**7 and 8**".
- 23 Page 25, delete lines 25 through 33.
- 24 Page 25, line 34, delete "6." and insert "**5**".
- 25 Page 25, line 34, delete "5" and insert "**4**".
- 26 Page 25, line 38, delete "7." and insert "**6**".
- 27 Page 25, line 38, delete "5" and insert "**4**".
- 28 Page 25, line 41, delete "8." and insert "**7**".
- 29 Page 25, line 41, delete "10" and insert "**9**".
- 30 Page 25, line 42, delete "5" and insert "**4**".
- 31 Page 26, line 6, delete "9." and insert "**8**".

- 1 Page 26, line 6, delete "8(1)" and insert "**7(1)**".
- 2 Page 26, line 23, delete "10." and insert "**9.**".
- 3 Page 26, line 27, delete "11." and insert "**10.**".
- 4 Page 26, line 34, delete "12." and insert "**11.**".
- 5 Page 26, line 34, delete "As long as there are any current or future"
- 6 and insert "**Fifty**".
- 7 Page 26, delete lines 35 through 38.
- 8 Page 26, line 42, delete "or its designee".
- 9 Page 27, line 4, delete "or its designee".
- 10 Page 27, delete lines 15 through 19.
- 11 Page 27, line 20, delete "(d)" and insert "**(c)**".
- 12 Page 27, line 24, delete "13." and insert "**12.**".
- 13 Page 27, line 24, delete "5" and insert "**4**".
- 14 Page 27, line 31, delete "14." and insert "**13.**".
- 15 Page 28, line 5, delete "15." and insert "**14.**".
- 16 Page 28, line 6, delete "section 12(a) of this chapter" and insert "**IC**
- 17 **36-10-9 or IC 36-10-9.1**".
- 18 Page 28, line 9, delete "14" and insert "**13**".
- 19 Page 28, line 11, delete "5" and insert "**4**".
- 20 Page 28, line 18, delete "16." and insert "**15.**".
- 21 Page 28, line 19, delete "section 12(a) of this chapter" and insert "**IC**
- 22 **36-10-9 or IC 36-10-9.1**".
- 23 Page 28, line 21, delete "14" and insert "**13**".
- 24 Page 28, delete lines 30 through 42.
- 25 Page 31, line 32, delete "budget director" and insert
- 26 "**commissioner**".
- 27 Page 31, delete lines 35 through 43.
- 28 Page 32, delete line 1, begin a new paragraph and insert:
- 29 "**(d) The auditor of state shall distribute the money from the**
- 30 **capital projects trust fund to the capital improvement board each**
- 31 **month. The capital improvement board shall deposit money**
- 32 **received under this subsection in a special fund. Money in the**
- 33 **special fund may be used only for payment of obligations relating**
- 34 **to a capital improvement that is used for professional football**
- 35 **events, including the financing or refinancing of the capital**
- 36 **improvement or the payment of lease payments (as described in**
- 37 **IC 36-10-9) for the capital improvement.**".
- 38 Page 32, delete lines 4 through 5.
- 39 Page 32, delete lines 33 through 42.
- 40 Page 33, delete lines 1 through 5.
- 41 Page 33, line 13, delete "However, after May 14, 2005:".
- 42 Page 33, delete lines 14 through 20.
- 43 Page 34, line 41, delete "or its designee. So long as there are any"
- 44 and insert ".".
- 45 Page 34, delete line 42.
- 46 Page 35, delete lines 1 through 9.
- 47 Page 36, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 24. IC 36-10-9-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board is composed of ~~nine (9)~~ **eleven (11)** members. Six (6) members shall be appointed by the executive of the consolidated city, two (2) members shall be appointed by the board of commissioners of the county, and one (1) member shall be appointed by the legislative body of the consolidated city from among the members of the legislative body. **In addition, one (1) member shall be the state inspector general, and one (1) member shall be the state budget director.** One (1) of the members appointed by the executive must be engaged in the hotel or motel business in the county. Not more than four (4) of the members appointed by the executive may be affiliated with the same political party and not more than one (1) member appointed by the board of commissioners may be affiliated with the same political party.

(b) The terms of **the appointed** members are for two (2) years beginning on January 15 and until a successor is appointed and qualified. A member may be reappointed after the member's term has expired.

(c) If a vacancy occurs on the board, the appointing authority shall appoint a new member. That member serves for the remainder of the vacated term.

(d) ~~☆~~ **An appointed** board member may be removed for cause by the appointing authority who appointed the member.

(e) Each member, before entering upon the duties of office, shall take and subscribe an oath of office in the usual form. The oath shall be endorsed upon the member's certificate of appointment, which shall be promptly filed with the records of the board.

(f) A member does not receive a salary, but is entitled to reimbursement for any expenses necessarily incurred in the performance of the member's duties."

Page 36, delete lines 30 through 36.

Page 37, delete lines 6 through 13, begin a new paragraph and insert:

"SECTION 27. [EFFECTIVE UPON PASSAGE] (a) If the Marion County city-county council does not adopt all the ordinances required to be adopted by it under this act on or before June 30, 2005, the counties and political subdivisions described in IC 6-9-35-1, as added by this act, are no longer subject to the provisions of IC 6-9-35, as added by this act. In that event, the fiscal body of the county or political subdivision may not adopt an ordinance to impose the excise tax authorized by this IC 6-9-35, as added by this act, and any ordinance adopted by the fiscal body under IC 6-9-35-4(a) or IC 6-9-35-4(b), both as added by this act, is no longer effective.

(b) This SECTION expires July 1, 2005."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1083 as printed April 6, 2005.)

Senator BREAU